

FILED
4/8/21 7:01 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)	
)	Bankruptcy No. 19-24484 GLT
Jeffrey Paul Moore)	
Kellie Elizabeth Moore)	
)	
Debtor (s))	
Jeffrey Paul Moore)	Chapter 13
Kellie Elizabeth Moore)	
)	
Movant(s))	
v.)	Related to Docket No. 74 and 79
)	
Freedom Mortgage Corporation,)	Hearing: 4/7/21 at 2:30 PM
Washington County Tax Claim Bureau,)	
and Ronda J. Winnecour, Trustee)	
)	
Respondent(s))	

AMENDED MODIFIED
**ORDER APPROVING SALE FREE AND CLEAR OF ALL LIENS, CLAIMS AND
ENCUMBRANCES PURSUANT TO 11 U.S.C. SECTION 363(b) - AMENDED**

AND NOW, upon consideration of the Motion for the Sale Free and Clear of All Liens, Claims and Encumbrances, and after hearing on said Motion, the Court finds as follows:

1. Pursuant to 11 U.S.C. Section 363(b), the Debtors have effectuated service of the Motion for Sale of Property Free and Clear of All Liens, Claims and Encumbrances (the Sale Motion) and the related Notice of Sale setting the hearing and response deadline upon the Respondents, and all other parties in interest as required by the applicable Bankruptcy Rules.

2. That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of service duly filed and that the named parties were duly served with the Motion.

3. That said sale hearing was duly advertised in: Observer-Reporter and Washington County Bar Association Legal Journal. Proofs of Publication to be filed when received by counsel for Debtor. The sale was also duly posted in the EASI system.

4. That at the sale hearing the highest/best offer received was that of the above Purchaser(s) and no objections to the sale were made which would result in cancellation of said sale.

5. That the price of \$160,000.00 (with a seller's assist of up to \$9,600) offered by Rhonda L. Snyder was a full and fair price for the property in question.

6. That the Purchaser(s) has acted in good faith with respect to the within sale in accordance with In re Abbots Dairies of Pennsylvania, Inc. 788 F2d. 143(3d Cir. 1986)

7. The liens and claims to be divested are Freedom Mortgage Corporation and Washington County Tax Claim Bureau.

Now therefore, **it is ORDERED, ADJUDGED AND DECREED** that the sale by Special Warranty Deed of the real property described as 54 Main Street Ext., Burgettstown, PA 15021 is hereby **CONFIRMED** to Rhonda L. Snyder, for \$160,000.00, free and divested of the above recited liens and claims, and, that the Movant is authorized to make, execute and deliver to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED, that the above recited liens and claims, be, and they hereby are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

FURTHER ORDERED, that the following expenses/costs shall immediately be paid at the time of closing. **Failure of the closing agent to timely make and forward the disbursements required by this Order** will subject the closing agent to monetary sanctions, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order.

- (1) The following lien(s)/claims(s): Freedom Mortgage Corporation
- (2) Delinquent real estate taxes, if any: Washington County
- (3) Current real estate taxes, pro-rated to the date of closing: Washington County
- (4) The costs of local newspaper advertising in the amount of \$82.55
- (5) The costs of legal journal advertising in the amount of TBD
- (6) The Court approved realtor commission in the amount of \$9,600.00
plus \$600.00
- (7) Court approved attorney fees in the amount of \$3,788.25 to “Rice & Associates, 15 West Beau Street, Washington, PA 15301”.
- (8) Chapter 13 Trustee “percentage fees in the amount of \$569.34 payable to “Ronda J. Winnecour, Ch. 13 Trustee, W.D.PA, PO Box 84051, Chicago, IL 60689”
- (9) Exemption amount to Debtors, Jeffrey P. and Kellie E. Moore, up to the amount of \$43,820.00, (provided funds are available after payment of items 1 through 8) which shall be paid (with the Debtor's consent) as follows: (i) first, to the chapter 13 trustee, an amount sufficient to pay off the outstanding secured debt owed to Jefferson Capital Systems (after deduction of applicable trustee fees) on account of the Debtor's 2017 Kia Sportage (estimated to be \$16,793.48), which shall be earmarked and disbursed by the trustee; and (ii) second, any remaining portion of the exemption to be disbursed to the Debtors.

(10) The remainder of funds, if any, shall be paid after payment of items 1 through 9, from the closing as identified on the Estimated Return to Seller at Settlement to the Chapter 13 Trustee payable to "Ronda J. Winnecour, Ch. 13 Trustee, W.D.PA, PO Box 84051, Chicago, IL 60689, and

FURTHER ORDERED that:

(1) Closing shall occur within thirty (30) days of this Order and, **within seven (7) days following closing**, the Movant shall file a report of sale; (2)

This Sale Confirmation Order survives any dismissal or conversion of the within case; and

(3) **Within seven (7) days of the date of this Order**, the Movant shall serve a copy of the within Order on each Respondent (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the Motion or appeared at the hearing, the attorney for the debtor, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.

Prepared by: Scott R. Lowden, Esq.

4/8/21
Dated

CM: Debtors



GREGORY J. TADDONE, hct
United States Bankruptcy Judge

In re:
Jeffrey Paul Moore
Kellie Elizabeth Moore
Debtors

Case No. 19-24484-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Apr 09, 2021

User: dpas
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 11, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Jeffrey Paul Moore, Kellie Elizabeth Moore, 54 Main Street Extension, Burgettstown, PA 15021-1226

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 11, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 9, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Freedom Mortgage Corporation bnicholas@kmlawgroup.com
David A. Rice	on behalf of Joint Debtor Kellie Elizabeth Moore ricelaw1@verizon.net lowdenscott@gmail.com
David A. Rice	on behalf of Debtor Jeffrey Paul Moore ricelaw1@verizon.net lowdenscott@gmail.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

District/off: 0315-2

User: dpas

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Total Noticed: 1

Scott R. Lowden

on behalf of Joint Debtor Kellie Elizabeth Moore niclowlgl@comcast.net

Scott R. Lowden

on behalf of Debtor Jeffrey Paul Moore niclowlgl@comcast.net

Thomas Song

on behalf of Creditor Freedom Mortgage Corporation pawb@fedphe.com

TOTAL: 9